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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

APRIL ELVIDGE, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

CAESARS ENTERTAINMENT, INC.,

Defendants.

Case No. 2:23-cv-01662-ART-BNW

**STIPULATION AND ORDER
CONTINUING TIME FOR
DEFENDANT CAESARS
ENTERTAINMENT, INC. TO RESPOND
TO COMPLAINT**

(FIRST REQUEST)

Defendant Caesars Entertainment, Inc. (“Caesars”) and Plaintiff April Elvidge (“Plaintiff”), by and through their undersigned counsel, hereby stipulate and agree as follows and jointly request that the Court enter an Order approving this Stipulation:

WHEREAS, on October 13, 2023, Plaintiff filed her class action complaint (ECF No. 1);

WHEREAS, on October 16, 2023, Caesars was served with the Complaint and Summons;

WHEREAS, pursuant to Federal Rule of Civil Procedure 12, the deadline for Caesars to answer or otherwise respond to the Complaint is November 6, 2023 (ECF No. 6);

1 **WHEREAS**, ten additional actions arising from the same subject matter as Plaintiff's
2 complaint are currently pending in this District;

3 **WHEREAS**, The first five of these actions filed in this District have been consolidated,
4 with the lead case being *Rodriguez v. Caesars Entertainment, Inc.*, No. 2:23-cv-01447-ART-
5 BNW (Sept. 15, 2023), and the consolidated action being renamed *In re Data Breach Security*
6 *Litigation Against Caesars Entertainment, Inc.*, No. 2:23-cv-01447-ART-BNW ECF 21
7 ("Consolidated Action");

8 **WHEREAS**, on November 3, 2023, Caesars filed a Motion to Consolidate Later-Filed
9 Cases into the Consolidated Action, which included Plaintiff's complaint and five others filed on
10 or after October 12, 2023;

11 **WHEREAS**, Caesars anticipates that the *Elvidge* action will be will be consolidated with
12 the Consolidated Action, and proceed on a coordinated schedule for pre-trial proceedings;

13 **WHEREAS**, the parties in the Consolidated Action have agreed to stay Caesars's deadline
14 to answer or otherwise respond to the complaints pending the filing of a Consolidated Complaint;

15 **WHEREAS**, to avoid unnecessary expenditure of resources and effort responding to
16 Plaintiff's individual complaint where all Parties are agreed that the complaint should first be
17 consolidated into the Consolidated Action, and where the Motion to Consolidate Later-Filed Cases
18 is currently pending before the court in the Consolidated Action, the Parties have agreed to extend
19 the time for Caesars to respond to the Complaints until forty-five (45) days following the service
20 of a consolidated complaint, as requested in the Motion to Consolidate Later-Filed Cases, or, if
21 the Court denies the Motion to Consolidate, forty-five (45) days after the Court issues such
22 decision. There is good cause to grant this request, which is not made for the purposes of delay.

23 It is therefore **STIPULATED** and **AGREED** that:

- 24 1. Defendant shall file and serve any answer or other response within forty-five (45)
25 days of the filing of a consolidated complaint, if the pending Motion to Consolidate
26 Later-Filed Cases is granted.
- 27 2. If the Motion to Consolidate Later-Filed Cases is not granted, Defendant shall file
28 and serve any answer or other response to Plaintiff's complaint within forty-five

(45) days of the Court's decision.

Dated: November 6, 2023.

FREEDOM LAW FIRM

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: 11/7/2023